

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEANGELO CLAY,

Plaintiff,

v.

CATES,

Defendant.

No. 1:20-cv-00971-EPG (PC)

ORDER DENYING PLAINTIFF’S MOTION  
FOR SETTLEMENT CONFERENCE  
WITHOUT PREJUDICE

(ECF No. 7)

Plaintiff DeAngelo Clay (“Plaintiff”) is a state inmate proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983 against Defendant Cates, the warden at Plaintiff’s institution of confinement. Plaintiff filed the Complaint commencing this action on July 14, 2020. (ECF No. 1). On September 9, 2020, Plaintiff filed a motion for settlement conference. (ECF No. 7). For the following reasons, the Court DENIES Plaintiff’s motion.

Plaintiff argues that the Court “set a date to settle this case in a settlement conference” because “it would be in the best interest of justice to settle this case amicably and save the court a[ ]lot of time and resources.” (ECF No. 7 at 1). Plaintiff also requests that he be present in person for such conference.

A “district court has broad authority to compel participation in mandatory settlement conference.” *United States v. U.S. Dist. Court for N. Mariana Islands*, 694 F.3d 1051, 1057 (9th

1 Cir. 2012), *as amended* (Oct. 16, 2012).

2 The Court finds that it is premature to order any settlement conference. This case is still in  
3 the screening stage, and the Court has not yet ordered that Defendant Cates be served. As such,  
4 the Court lacks personal jurisdiction over Defendant Cates. Should the case proceed past  
5 screening, the Court may reconsider whether to order such a conference.

6 In addition, the courthouses in this district are currently closed to the public. General  
7 Order 618 (“In light of the ongoing coronavirus (COVID-19) pandemic, all courthouses of the  
8 United States District Court for the Eastern District of California shall remain closed to the  
9 public.”). Thus, should this case proceed past screening and the Court order a settlement  
10 conference, the conference may be conducted by remote means.

11 For the foregoing reasons, the Court HEREBY DENIES Plaintiff’s motion for settlement  
12 conference (ECF No. 7) WITHOUT PREJUDICE.

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14 IT IS SO ORDERED.

15 Dated: September 28, 2020

16 /s/ Eric P. Gray  
17 UNITED STATES MAGISTRATE JUDGE  
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